



# California Regulatory Notice Register

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*Time-  
Dated  
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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

#### Notice of Proposed Rulemaking

##### 45-Day Notice

The Department of Food and Agriculture proposes to amend subsection 3434(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Interior Quarantine.

This notice is being provided to be in compliance with Government Code Section 11346.4.

#### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to [sbrown@cdfa.ca.gov](mailto:sbrown@cdfa.ca.gov). The written comment period closes at 5:00 p.m. on August 29, 2011. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Stephen Brown  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[sbrown@cdfa.ca.gov](mailto:sbrown@cdfa.ca.gov)  
916.654.1017  
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hear-

ing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

#### AMENDED TEXT

This proposal will add approximately seven square miles to the existing quarantine area in Long Beach, Los Angeles County; approximately 91 square miles to the Sacramento area of Sacramento County; merge the approximately 37 square miles in the Manteca area of San Joaquin County with the regulated area; establish a new quarantine area of approximately 20 square miles surrounding the Clements area of San Joaquin County; establish a new quarantine area of approximately 34 square miles to the King Island area of San Joaquin County; expand by approximately eight square miles the Allendale area of Solano County; expand by approximately 18 square miles to the Ryer Island area of Sacramento County and expand the contiguous regulated area by approximately 225 square miles. The effect of this proposed change to the regulation will be to add authority for the State to perform quarantine activities against LBAM (*Epiphyas postvittana*) in these areas. This will result in a total of approximately 5,729 square miles under regulation within the State.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

#### *Small Business Determination*

The Department has determined that the proposed regulations may affect small business.

### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

### AUTHORITY

The Department proposes to amend Section 3434 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

### REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed

actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Lindsay Raines at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site ([www.cdfa.ca.gov/phpps/Regulations.html](http://www.cdfa.ca.gov/phpps/Regulations.html)).

### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

## **TITLE 16. BUREAU OF AUTOMOTIVE REPAIR**

### **NOTICE OF PROPOSED REGULATORY ACTION AND PUBLIC HEARING CONCERNING**

#### **Vehicle Registration Amnesty Program**

**NOTICE IS HEREBY GIVEN** that the Department of Consumer Affairs/Bureau of Automotive Repair (hereinafter "Bureau" or "BAR") is proposing to take

the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the following location on the following date:

**NORTHERN CALIFORNIA**

Monday, August 22, 2011 at 2:00 p.m.  
Department of Consumer Affairs  
Hearing Room  
1625 North Market Blvd., S-102  
Sacramento, CA 95834

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be **received by the Bureau at its office no later than 5:00 p.m. on August 22, 2011**, or must be received by the Bureau at the above-referenced hearing. **Comments sent to persons or addresses other than those specified under Contact Person, or received after the date and time specified above, regardless of the manner of transmission, will be included in the record of this proposed regulatory action, but will not be summarized or responded to.** The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by Section 9882 of the Business and Professions Code, and to implement, interpret or make specific Sections 4750.1 and 9565 of the Vehicle Code and 44012 of the Health and Safety Code, the Bureau is proposing to adopt the following changes to Article 5.5 of Chapter 1, Division 33, Title 16, California Code of Regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

**INTRODUCTION:**

The Bureau of Automotive Repair (BAR) within the Department of Consumer Affairs (DCA) is responsible for the administration and implementation of the Smog

Check Program. To ensure uniform and consistent vehicle inspections, BAR licenses stations and technicians and certifies Smog Check inspection equipment. In addition, BAR contracts with a neutral third party to provide Referee services. The Referee provides motorists with special inspection services that are not available at ordinary Smog Check stations. In part, these services include the inspection of Specially Constructed Vehicles (SPCNS).

**BACKGROUND:**

This proposed regulatory action addresses the requirements of Assembly Bill (AB) 2461 (Emmerson, Chapter 388, Statutes of 2010) and AB 619 (Emmerson, Chapter 235, Statutes of 2008), which provide for a registration amnesty program to be established by the Department of Motor Vehicles (DMV). Specifically, this regulation helps motorists who own SPCNS complete the Referee inspection process.

As part of this legislation, Section 9565 of the Vehicle Code specifies that a SPCNS shall be issued a certificate of compliance if the vehicle meets the appropriate tailpipe emissions requirements. Vehicles participating in the registration amnesty program are assigned testing requirements based on model year. The model year for a vehicle is determined by the calendar year in which the vehicle owner has applied for the amnesty program.

This regulation identifies the Smog Check inspection procedures for amnesty vehicles as the tailpipe emissions test requirements specified in Section 3340.42 of the California Code of Regulations. The tailpipe emissions requirements are, in part, based on the vehicle model-year as assigned by the DMV. Under this regulation the Referee would collect a \$160 inspection fee upon initial application for the registration amnesty program, in accordance with Section 4750.1 of the Vehicle Code. Due to the unique inspection procedures associated with these vehicles and special software requirements to perform these inspections, all subsequent inspections for these vehicles will be performed at the Referee.

Referee stations use special test software that is not available in ordinary Smog Check stations. Software changes needed to facilitate these special inspections in ordinary stations would be immensely costly and impractical.

**EFFECT OF REGULATORY ACTION:**

The Bureau of Automotive Repair (BAR) is proposing the following amendments to existing regulations:

- I. Vehicle Registration Amnesty Program:**  
Implement tailpipe emissions test requirements specified in Section 3340.42 of the California Code of Regulations for vehicles participating in the registration amnesty program.



**FISCAL IMPACT ESTIMATES****FISCAL IMPACT ON PUBLIC AGENCIES  
INCLUDING COSTS OR SAVINGS TO STATE  
AGENCIES AND COSTS/SAVINGS IN FEDERAL  
FUNDING TO THE STATE**

No cost or savings in federal funding to the state.

Individuals with vehicles that have been registered previously or classified incorrectly may choose to participate in the registration amnesty program to correct the deficiency. Upon initial application for the registration amnesty program, the state contracted Referee will charge the participant a \$160 fee for the inspection. This fee will offset all costs associated with this initial inspection at the Referee.

**NONDISCRETIONARY COSTS/SAVINGS TO  
LOCAL AGENCIES**

None.

**LOCAL MANDATE**

None.

**COSTS TO ANY LOCAL AGENCY OR  
SCHOOL DISTRICT FOR WHICH  
GOVERNMENT CODE SECTIONS 17500–17630  
REQUIRE REIMBURSEMENT**

None.

**BUSINESS IMPACT**

BAR has made the initial determination that the proposed regulatory action would have no significant state-wide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The Referee inspection facilities are operated by the Foundation for California Community Colleges (FCCC) under contract with BAR. Existing law requires the Referee to provide for the testing and certification of SPCNS. The vehicle registration amnesty program, which was in effect from January 1, 2010 through December 31, 2010, only received one participant.

BAR expects an increase in the number of consumers participating in the amnesty program because visual and functional tests are not required. In the prior version of the program, visual and functional inspections were required, which most SPCNS could not pass. As a result of these changes BAR expects higher participation in the new amnesty program, which begins July 1, 2011

and ends June 30, 2012. However, actual participation levels cannot be accurately calculated.

**IMPACT ON JOBS/NEW BUSINESSES**

BAR has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses currently doing business within the State of California.

**COST IMPACT ON REPRESENTATIVE PRIVATE  
PERSON OR BUSINESS**

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to BAR are:

1. The proposed regulation implements tailpipe emissions test requirements for participants in the registration amnesty program. The Referee will charge individuals participating in the program a \$160 fee upon application.

Due to limited participation in the last vehicle registration amnesty program BAR expects limited participation. Actual participation levels cannot be precisely calculated.

**EFFECT ON HOUSING COSTS**

None.

**EFFECT ON SMALL BUSINESS**

BAR has determined that the proposed regulations would not affect small business because this regulation only specifies inspection procedures for the vehicle registration amnesty program.

**CONSIDERATION OF ALTERNATIVES**

BAR must determine that no reasonable alternative, which it considered or that has otherwise been identified and brought to its attention, would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

**INITIAL STATEMENT OF REASONS  
AND INFORMATION**

BAR has prepared an Initial Statement of Reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Automotive Repair at 10240 Systems Parkway, Sacramento, California, 95827.

AVAILABILITY AND LOCATION OF THE  
RULEMAKING FILE AND THE FINAL  
STATEMENT OF REASONS

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the persons named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web site listed below.

CONTACT PERSON

**Inquiries or comments concerning the proposed administrative action may be addressed to:**

Steven Hall  
Bureau of Automotive Repair  
10240 Systems Parkway  
Sacramento, CA 95827  
Telephone: (916) 255-2135  
Fax No.: (916) 255-1369  
E-mail: steven.hall@dca.ca.gov

**The backup contact person is:**

Greg Garrett  
Bureau of Automotive Repair  
10240 Systems Parkway  
Sacramento, CA 95827  
Telephone: (916) 255-4769  
Fax No.: (916) 255-1369  
E-mail: greg.garrett@dca.ca.gov

WEB SITE ACCESS

Materials regarding this proposal can also be found on the BAR's Web site at [www.smogcheck.ca.gov](http://www.smogcheck.ca.gov).

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY OFFICE OF  
ENVIRONMENTAL HEALTH  
HAZARD ASSESSMENT  
SAFE DRINKING WATER AND TOXIC  
ENFORCEMENT ACT OF 1986  
(PROPOSITION 65)**

**NOTICE TO INTERESTED PARTIES  
July 8, 2011**

**ANNOUNCEMENT OF CARCINOGEN  
IDENTIFICATION COMMITTEE MEETING  
SCHEDULED FOR OCTOBER 12 AND 13, 2011,  
AND AVAILABILITY OF HAZARD  
IDENTIFICATION MATERIALS  
FOR FLUORIDE AND ITS SALTS,  
AND TRIS(1,3-DICHLORO-2-  
PROPYL) PHOSPHATE**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986<sup>1</sup> (Proposition 65). The Carcinogen Identification Committee (CIC) advises and assists OEHHA in compiling the list of chemicals known to the State to cause cancer as required by Health and Safety Code section 25249.8. The Committee serves as the State's qualified experts for determining whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause cancer.

Fluoride and its salts, and tris(1,3-dichloro-2-propyl) phosphate will be considered for possible listing by the CIC at its next meeting scheduled for **Wednesday and Thursday, October 12 and 13, 2011**. The two-day meeting will be held in the Sierra Hearing Room at the Cal/EPA Headquarters building, 1001 I Street, Sacramento, California. The meetings will begin each day at 10:00 a.m. and will last until 5:00 p.m. on Wednesday and until all business is conducted or until 5:00 p.m. on Thursday. The agenda for the two-day meeting will be

<sup>1</sup> Health and Safety Code section 25249.5 et seq.

provided in a future public notice published in advance of the meeting.

OEHHA announces the availability for public review of the documents entitled: "Evidence on the Carcinogenicity of Fluoride and Its Salts" and "Evidence on the Carcinogenicity of Tris(1,3-dichloro-2-propyl) phosphate." The CIC will consider these documents in making any listing decisions on these chemicals. In preparing these hazard identification materials, OEHHA considered information received from its requests for information relevant to the evidence of carcinogenicity of fluoride and its salts and tris(1,3-dichloro-2-propyl) phosphate. The data call-in period for fluoride and its salts opened on October 15, 2009 and closed on December 15, 2009. The data call-in period for tris(1,3-dichloro-2-propyl) phosphate opened on February 11, 2011 and closed on April 12, 2011.

Copies of the documents are available from OEHHA's web site at the following address: <http://www.oehha.ca.gov/prop65.html>. The documents may also be requested from OEHHA's Proposition 65 Implementation Office by calling (916) 445-6900.

This notice marks the beginning of a 60-day public comment period on these two documents. **OEHHA must receive comments and any supporting documentation by 5:00 p.m. on Tuesday, September 6, 2011.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by email should be addressed to [coshita@oehha.ca.gov](mailto:coshita@oehha.ca.gov). Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

**Mailing Address:**

Ms. Cynthia Oshita  
Office of Environmental Health Hazard Assessment  
P.O. Box 4010, MS-19B  
Sacramento, California 95812-4010

**Fax:**

(916) 323-8803

**Street Address:**

1001 I Street  
Sacramento, California 95814

OEHHA will organize and index the comments received and forward the information to the CIC members prior to the meeting at which the chemicals will be considered.

## RULEMAKING PETITION DECISION

### BOARD OF PSYCHOLOGY

June 27, 2011

Mr. Byron J. Gross  
Of Counsel  
National Health Law Program  
2639 S. La Cienega Blvd.  
Los Angeles, CA 90034

Re: Notice of Decision on Petition to Amend Title 16, California Code of Regulations Section 1387(b) (9) — Supervised Professional Experience

Dear Mr. Gross,

Thank you for your proposal in which you requested that the Board of Psychology (Board) amend its regulations regarding Supervised Professional Experience (SPE), specifically Title 16, California Code of Regulations Section 1387(b)(9). Your petition recommends that the Board amend the regulations to allow applicants for licensure as Psychologists who are licensed as Licensed Clinical Social Workers (LCSW) or Marriage and Family Therapists (MFT) by the Board of Behavioral Sciences (BBS) to accrue hours toward licensure by performing psychological services under their current licenses. This letter is to inform you that the Board has decided not to amend its regulations pursuant to Cal. Govt. Code section 11340.6 to effect that change.

The Board reviewed your petition at the Board Meeting held on May 20-21, in Newport Beach (rescheduled from February at your request). This meeting was open to the public, and this item was noticed on the Board's agenda. Public comment was received regarding your petition.

The Board was not supportive of amending the regulations. Such an amendment would create an ambiguity, which would result from one board (BBS) regulating the services provided by the LCSW or MFT, while this Board would be regulating the accrual of the hours and the supervising psychologists who are responsible for the care of the clients provided services by the psychology assistant. The resulting regulations would be confusing and problematic. As a result, the Board voted to deny the petition.

In accordance with Government Code Section 11340.7(d), a copy of this letter will be filed with the Office of Administrative Law for publication in the



California Regulatory Notice Register. A copy of your petition is available to all interested parties.

If you have any additional questions, please contact me at 916-263-2699.

Sincerely,

/s/

Robert Kahane  
Executive Officer  
Board of Psychology

## OAL REGULATORY DETERMINATION

### OFFICE OF ADMINISTRATIVE LAW DETERMINATION OF ALLEGED UNDERGROUND REGULATIONS (Pursuant to Government Code Section 11340.5 and Title 1, section 270, of the California Code of Regulations)

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

### DEPARTMENT OF CORRECTIONS AND REHABILITATION

### STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW

**2011 OAL DETERMINATION NO. 11  
(OAL FILE NO. CTU2010-1007-01)**

**REQUESTED BY: CARLOS RIOS  
CONCERNING: GENERAL EDUCATION  
DEVELOPMENT (GED)  
REQUIREMENT ISSUED  
BY THE CALIFORNIA  
PRISON INDUSTRY  
AUTHORITY (CALPIA)  
DETERMINATION ISSUED  
PURSUANT TO GOVERN-  
MENT CODE SECTION  
11340.5.**

### SCOPE OF REVIEW

A determination by the Office of Administrative Law (OAL) evaluates whether or not an action or enactment

by a state agency complies with California administrative law governing how state agencies adopt regulations. Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. Our review is limited to the sole issue of whether the challenged rule meets the definition of "regulation" as defined in Government Code section 11342.600<sup>1</sup> and is subject to the Administrative Procedure Act (APA). If a rule meets the definition of "regulation," but was not adopted pursuant to the APA and should have been, it is an "underground regulation" as defined in California Code of Regulations, title 1, section 250.<sup>2</sup> OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

### CHALLENGED RULE

The specific alleged underground regulation challenged by Carlos Rios (petitioner) concerns the General Educational Development (GED) Requirement of the California Prison Industry Authority (CALPIA) and is contained within the attached Exhibit A, at the bottom of page 3. It is stated as follows:

CALPIA inmate employees assigned after 10/26/07, who failed to meet this mandatory educational requirement [GED or equivalent], will be indefinitely ineligible to receive pay increases beyond the "D" level, or .40 cents an hour, until this requirement is met regardless of longevity.<sup>3</sup>

### DETERMINATION

OAL determines that the CALPIA GED Requirement meets the definition of "regulation" that should have been adopted pursuant to the APA, and therefore, is an underground regulation.

### FACTUAL BACKGROUND

On October 7, 2010, the OAL received a petition from Mr. Rios alleging that CALPIA has issued, used,

<sup>1</sup> Unless otherwise specified, all references are to the Government Code.

<sup>2</sup> As defined by title 1, section 250(a), an

"Underground regulation" means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

<sup>3</sup> The challenged rule will hereafter be referred to as: "CALPIA GED Requirement."

enforced, or attempted to enforce an underground regulation as stated in the CALPIA Operational DOM SUPPLEMENTAL “GED Inmate Employee Policy & Procedure, CALPIA 003” dated October 2008 (Exhibit A). The specific provision being challenged, the CALPIA GED Requirement, states that employee inmates assigned after 10/26/07, who do not obtain their GED or its equivalent, are indefinitely ineligible to receive pay increases beyond the “D” level or .40 cents per hour until the requirement is met regardless of longevity. CALPIA did not respond to the petition and no comments were received by OAL from the public.

## UNDERGROUND REGULATIONS

Government Code section 11340.5, subdivision (a), provides that:

No state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation as defined in [Government Code] Section 11342.600, unless the guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule has been adopted as a regulation and filed with the Secretary of State pursuant to [the APA].

When an agency issues, utilizes, enforces, or attempts to enforce a rule in violation of section 11340.5, it creates an underground regulation as defined in title 1, California Code of Regulations, section 250.

OAL may issue a determination as to whether or not an agency has issued, utilized, enforced, or attempted to enforce a rule that meets the definition of “regulation” as defined in section 11342.600 and should have been adopted pursuant to the APA (Gov. Code, sec. 11340(b)). An OAL determination is not enforceable against the agency through any formal administrative means, but it is entitled to “due deference” in any subsequent litigation of the issue pursuant to *Grier v. Kizer* (1990) 219 Cal.App.3d 422 [268 Cal.Rptr. 244].

## ANALYSIS

OAL’s authority to issue a determination extends only to the limited question of whether the challenged rule is a “regulation” subject to the APA. This analysis will determine (1) whether the challenged rule is a “regulation” within the meaning of section 11342.600, and (2) whether the challenged rule falls within any recognized exemption from APA requirements.

A regulation is defined in section 11342.600 as:

... every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

In *Tidewater Marine Western, Inc. v. Victoria Bradshaw* (1996) 14 Cal.4th 557, 571 [59 Cal.Rptr.2d 186], the California Supreme Court found that:

A regulation subject to the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) has two principal identifying characteristics. First, the agency must intend its rule to apply generally, rather than in a specific case. The rule need not, however, apply universally; a rule applies generally so long as it declares how a certain class of cases will be decided. Second, the rule must implement, interpret, or make specific the law enforced or administered by the agency, or govern the agency’s procedure (Gov. Code, § 11342, subd. (g)).<sup>4</sup>

As stated in *Tidewater*, the first element used to identify a “regulation” is whether the rule applies generally. As *Tidewater* points out, a rule need not apply to all persons in the state of California. It is sufficient if the rule applies to a clearly defined class of persons or situations.

The CALPIA GED Requirement applies to all inmates of California prisons who are employed by CALPIA. Inmates employed by CALPIA is a clearly defined class. Therefore, the first element of *Tidewater* is met.

The second element used to identify a “regulation” as stated in *Tidewater* is that the rule must implement, interpret or make specific the law enforced or administered by the agency, or govern the agency’s procedure.

California Penal Code section 2811 states:

Commencing July 1, 2005, the general manager [of CALPIA] shall adopt and maintain a compensation schedule for inmate employees. That compensation schedule shall be based on quantity and quality of work performed and shall be required for its performance, but in no event shall that compensation exceed one-half the minimum wage provided in Section 1182 of the Labor Code, except as otherwise provided in this code. This compensation shall be credited to the account of the inmate. . . .

The CALPIA GED Requirement mandated by CALPIA is a requirement that directly affects the compensation of the inmate employees. The CALPIA GED Requirement implements, interprets or makes specific Pe-

<sup>4</sup> Section 11342(g) was re-numbered in 2000 to section 11342.600 without substantive change.

nal Code section 2811, the law enforced or administered by the agency. The second element of *Tidewater* is thereby met.

The CALPIA GED Requirement meets the definition of “regulation” in Government Code section 11342.600.

The final issue to examine is whether the challenged rule falls within an express statutory exemption from the APA. Exemptions from the APA can be general exemptions that apply to all state rulemaking agencies. Exemptions may also be specific to a particular rulemaking agency or a specific program. Pursuant to Government Code section 11346, the procedural requirements established in the APA “shall not be superseded or modified by any subsequent legislation *except to the extent that the legislation shall do so expressly*.” (Emphasis added.)

CALPIA has not identified an express statutory exemption from the APA that would apply to the CALPIA GED Requirement, nor did OAL find such an exemption.

#### AGENCY RESPONSE

On March 28, 2011, CALPIA was notified of OAL’s acceptance of the petition and of the opportunity to respond to the allegations of the petition. OAL received no response.

#### CONCLUSION

In accordance with the above analysis, OAL determines that the CALPIA GED Requirement meets the definition of “regulation” that should have been adopted pursuant to the APA, and therefore, is an underground regulation.

Date: June 21, 2011

/s/  
Debra M. Cornez  
Assistant Chief Counsel/Acting Director

/s/  
Elizabeth Heidig  
Staff Counsel

Copy: Charles, Patillo, General Manager, CALPIA  
Anne Cunningham, CALPIA

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2011-0531-01  
BOARD OF EQUALIZATION  
Technology Transfer Agreements

This action deletes from CCR, title 18, section 1507, subdivision (a), a provision that limits availability of the exemption of technology transfer agreements from sales and use tax when the transaction is a sale or lease of prewritten software. The provision that is being deleted by this action is an exclusion from the definition of the term “technology transfer agreement.”

Title 18  
California Code of Regulations  
AMEND: 1507  
Filed 06/22/2011  
Agency Contact:  
Richard E. Bennion (916) 445-2130

File# 2011-0614-01  
CALIFORNIA ALTERNATIVE ENERGY AND  
ADVANCED TRANSPORTATION FINANCING  
AUTHORITY  
SB 71 Sales and Use Tax Exclusion Program

The California Alternative Energy and Advanced Transportation Financing Authority readopted as emergency regulations sections 10030, 10031, 10032, 10033, 10034, 10035, and 10036 in title 4 of the California Code of Regulations which implement the advanced transportation and alternative source manufacturing sales and use tax exclusion program.

Title 4  
California Code of Regulations  
ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036  
Filed 06/24/2011  
Effective 06/24/2011  
Agency Contact: Deana Carrillo (916) 657-5052

File# 2011-0613-02

**DEPARTMENT OF CORRECTIONS AND  
REHABILITATION**

Funds Enclosed In Correspondence

The Department of Corrections and Rehabilitation submitted this emergency action, pursuant to the operational necessity provisions of Penal Code section 5058.3, to amend title 15, California Code of Regulations, section 3140. Section 3140 currently allows funds from money orders and certified checks sent to an inmate from the public to be placed, upon receipt, into an inmate's trust account and available for spending by the inmate. This action amends Section 3140 to require that funds from money orders clear the bank before they are released to an inmate.

Title 15

California Code of Regulations

AMEND: 3140

Filed 06/27/2011

Effective 06/27/2011

Agency Contact: Gail Long (916) 445-2276

File# 2011-0602-02

**DEPARTMENT OF FOOD AND AGRICULTURE**

Asian Citrus Psyllid Interior Quarantine

This certificate of compliance makes permanent the prior emergency amendments to section 3435, subdivision (b) (OAL file no. 2010-1224-01E) that added all of Ventura County to the area quarantined to help prevent the spread of the Asian Citrus Psyllid (ACP), associated bacteria, and Citrus Greening (CG) disease. Additionally it makes permanent the expansion of the quarantine area to add portions of Santa Barbara, San Bernardino and Riverside counties. The CG disease kills citrus crops and there is no cure for it. The potential for damage is measured in many millions of dollars. There is a federal quarantine requirement. A California quarantine for affected geographical areas can help avoid the necessity for a statewide quarantine that would otherwise be required under federal law. A statewide quarantine would be far more burdensome.

Title 3

California Code of Regulations

AMEND: 3435(b)

Filed 06/22/2011

Effective 06/22/2011

Agency Contact:

Stephen S. Brown (916) 654-1017

File# 2011-0620-01

**DEPARTMENT OF FOOD AND AGRICULTURE**

European Grapevine Moth Interior Quarantine

This emergency regulatory action will expand the quarantine areas for the European Grapevine Moth (EGVM), *Lobesia botrana*, into a new area of Santa Cruz County. It is immediately necessary to implement quarantine actions in order to prevent the artificial spread of EGVM to the uninfested areas of California. This emergency action will expand the existing regulated area of Santa Cruz County by approximately 87 square miles, for a total of approximately 2,334 square miles statewide.

Title 3

California Code of Regulations

AMEND: 3437(b)

Filed 06/27/2011

Effective 06/27/2011

Agency Contact:

Stephen S. Brown (916) 654-1017

File# 2011-0624-02

**DEPARTMENT OF FOOD AND AGRICULTURE**

Melon Fruit Fly Eradication Area

This emergency regulatory action expands the existing Melon Fruit Fly Eradication Area by adding Fresno County to the area covered by the regulation.

Title 3

California Code of Regulations

AMEND: 3591.15(a)

Filed 06/28/2011

Effective 06/28/2011

Agency Contact: Stephen S. Brown (916) 654-1017

File# 2011-0520-03

**DEPARTMENT OF HEALTH CARE SERVICES**Section 51008.5 — Billing Procedures for Claims  
Delayed by Good Cause

This change without regulatory effect deals with processing late claims and corrects a renumbering error that occurred in 1985. The result of this action allows special circumstances, such as court decisions and state hearing decisions, to be identified as "good cause" to permit the late submittal of the claim and permit the delayed bills to be submitted for processing beyond the time limits specified in section 51008 provided such submittal is within 60 days after the dates of resolution of the circumstances that caused the billing delay.

Title 22

California Code of Regulations

AMEND: 51008.5

Filed 06/29/2011

Agency Contact: Jasmin Delacruz (916) 440-7688

File# 2011-0527-01

**DEPARTMENT OF PUBLIC HEALTH**

Prohibition of Discrimination



The Department of Public Health (DPH) submitted this action without regulatory effect to amend and adopt title 22 regulations that will clarify the prohibition against discrimination under the Unruh Civil Rights Act (Civil Code section 51) and recognize the rights of registered domestic partners under the California Domestic Partner Rights and Responsibilities Act of 2003 (Family Code section 297 et seq.). Additional amendments clean up punctuation and grammar, and update authority and reference citations. The regulations in this action will apply to general acute care hospitals, acute psychiatric hospitals, skilled nursing facilities, intermediate care facilities, home health agencies, intermediate care facilities for the developmentally disabled, intermediate care facilities/developmentally disabled — habilitative, adult day health care centers, chemical dependency recovery hospitals, and correctional treatment centers.

**Title 22**

California Code of Regulations

ADOPT: 70058, 71054, 72094, 73092, 74650, 76138, 76831.1, 78094.1, 79063, 79570 AMEND: 70707, 70715, 71507, 71515, 72521, 72527, 73519, 73523, 74717, 74743, 76521, 76525, 76555, 76916, 76918, 78437, 79313, 79799

Filed 06/23/2011

Agency Contact: Dawn Basciano (916) 440-7367

File# 2011-0517-01

**DIVISION OF WORKERS COMPENSATION**

**Workers' Compensation**

This Section 100 action repeals one regulation governing the "Return to Work Program" and an associated form ("Request for Reimbursement of Accommodation Expenses (DWC AD form 10120 (SJDB) Rev. 11/2008)"). The repeal qualifies as a Section 100 action under Title 1, California Code of Regulations, section 100(a)(2) because the authorizing legislation was repealed by operation of law effective January 1, 2010.

**Title 8**

California Code of Regulations

REPEAL: 10119, 10120

Filed 06/27/2011

Agency Contact: James D. Fisher (510) 286-0679

File# 2011-0617-02

**OFFICE OF ENVIRONMENTAL HEALTH**

**HAZARD ASSESSMENT**

Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity — Maximum Allowable Dose Level for Chromium (Hexavalent Compounds)

In this rulemaking action, OEHHA is adding chromium (hexavalent compounds) at dosages of 8.2 micro-

grams per day by oral exposure to the list of other chemicals whose maximum allowable dose level are listed in title 27, California Code of Regulations, section 25805(b).

**Title 27**

California Code of Regulations

AMEND: 25805

Filed 06/29/2011

Effective 07/29/2011

Agency Contact: Susan Luong (916) 327-3015

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN February 2, 2011 TO  
June 29, 2011**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

06/21/11	REPEAL: 59152
06/07/11	AMEND: 640
05/12/11	AMEND: 1859.83
05/04/11	ADOPT: 1190, 1190.01, 1190.02, 1190.03, 1190.04, 1190.05 AMEND: 1181.1, 1181.2
04/28/11	AMEND: 18427.1
04/28/11	AMEND: 1859.90.2
04/27/11	AMEND: 1859.76
04/21/11	REPEAL: 18420.5
04/21/11	AMEND: 18465
04/21/11	ADOPT: 1859.90.2 AMEND: 1859.90.2 (renumbered to 1859.90.3), 1859.129, 1859.197
04/11/11	AMEND: 321
04/06/11	AMEND: 59.3
04/05/11	AMEND: 1859.2, 1859.81, 1859.148.2, 1859.166.2
04/01/11	AMEND: 18734
03/30/11	AMEND: 64.5
03/28/11	AMEND: 599.550
03/09/11	ADOPT: 552
03/08/11	ADOPT: 18451 REPEAL: 18451, 18452, 18453
03/07/11	AMEND: 18404.1
03/07/11	AMEND: 18435, 18450.4
03/03/11	AMEND: 1897
02/23/11	AMEND: 18734, 18751



02/17/11 AMEND: 18116  
 02/17/11 AMEND: 18239  
 02/17/11 ADOPT: 18401.1, 18435.5  
 02/15/11 AMEND: 599.500, 599.501

**Title 3**

06/28/11 AMEND: 3591.15(a)  
 06/27/11 AMEND: 3437(b)  
 06/22/11 AMEND: 3435(b)  
 06/15/11 AMEND: 3437(b)  
 05/31/11 AMEND: 3437(b)  
 05/11/11 ADOPT: 6446, 6446.1 AMEND: 6400,  
 6452.4, 6624, 6860  
 04/20/11 AMEND: 3434  
 04/14/11 ADOPT: 3701, 3701.1, 3701.2, 3701.3,  
 3701.4, 3701.5, 3701.6, 3701.7, 3701.8  
 AMEND: 3407  
 04/07/11 AMEND: 6445.5, 6448.1, 6449.1,  
 6450.1, 6452.2, 6452.3, 6452.4, 6536,  
 6626  
 03/18/11 AMEND: 3434(b) and (c)  
 03/18/11 AMEND: 3434(b)  
 03/14/11 AMEND: 3408  
 03/01/11 AMEND: 3558  
 02/17/11 AMEND: 3437  
 02/15/11 AMEND: 3430  
 02/15/11 ADOPT: 820.55 AMEND: 820, 820.3,  
 820.6, 820.7  
 02/10/11 AMEND: 3601  
 02/10/11 AMEND: 3434(b), (c)  
 02/10/11 AMEND: 3423(b)

**Title 4**

06/24/11 ADOPT: 10030, 10031, 10032, 10033,  
 10034, 10035, 10036  
 06/21/11 AMEND: 1876  
 06/15/11 ADOPT: 340 AMEND: 221, 222, 226,  
 230, 288, 300 REPEAL: 262  
 05/31/11 AMEND: 8078.2  
 04/18/11 AMEND: 10302, 10315, 10317, 10320,  
 10322, 10323, 10325, 10326, 10327,  
 10328  
 04/01/11 ADOPT: 10030, 10031, 10032, 10033,  
 10034, 10035, 10036  
 04/01/11 ADOPT: 5000, 5010, 5020, 5021, 5030,  
 5031, 5032, 5033, 5034, 5035, 5036,  
 5037, 5038, 5039, 5050, 5051, 5052,  
 5053, 5054, 5055, 5056, 5060, 5061,  
 5062, 5063, 5064, 5080, 5081, 5082,  
 5100, 5101, 5102, 5103, 5104, 5105,  
 5106, 5107, 5120, 5130, 5131, 5132,  
 5140, 5141, 5142, 5143, 5150, 5151,  
 5152, 5153, 5154, 5155, 5170, 5180,  
 5181, 5182, 5183, 5190, 5191, 5192,  
 5193, 5194, 5200, 5210, 5211, 5212,  
 5220, 5230, 5231, 5232, 5240, 5250,

5260, 5265, 5266, 5267, 5268, 5269,  
 5270, 5275, 5280, 5281, 5282, 5283,  
 5290, 5291, 5300, 5310, 5311, 5312,  
 5313, 5314, 5315, 5320, 5321, 5330,  
 5340, 5350, 5360, 5370, 5371, 5372,  
 5380, 5381, 5382, 5383, 5384, 5400,  
 5410, 5411, 5420, 5421, 5422, 5423,  
 5430, 5431, 5432, 5433, 5434, 5435,  
 5440, 5450, 5460, 5461, 5470, 5480,  
 5490, 5491, 5492, 5493, 5494, 5500,  
 5510, 5520, 5530, 5531, 5532, 5533,  
 5534, 5540, 5550, 5560, 5570, 5571,  
 5572, 5573, 5580, 5590

03/17/11 AMEND: 202, 210, 214, 246, 247, 248,  
 249, 252, 254, 264, 266, 267, 304, 332,  
 334, 335, 364, 385, 510, 533, 541, 545,  
 609

03/07/11 ADOPT: 8035.5

03/07/11 ADOPT: 8078.2 AMEND: 8070, 8072

03/03/11 REPEAL: 4002.2(a)

02/16/11 AMEND: 10152, 10153, 10154, 10155,  
 10156, 10157, 10158, 10159, 10160,  
 10161, 10162, 10164

**Title 5**

06/21/11 AMEND: 58771

06/20/11 ADOPT: 80048.9, 80048.9.4 AMEND:  
 80046.1, 80048.5, 80070.1, 80070.2,  
 80070.3, 80070.4, 80070.5, 80070.6  
 REPEAL: 80046, 80070.7, 80070.8

05/23/11 ADOPT: 13075.3, 13075.6, 13075.7,  
 13075.8, 13075.9 AMEND: 13075.1,  
 13075.2, 13075.4 (renumbered from  
 13075.3), 13075.5 (renumbered from  
 13075.4)

05/02/11 ADOPT: 19817.2, 19817.5, 19840,  
 19846.1 AMEND: 19815, 19816,  
 19816.1, 19817.1, 19846

05/02/11 ADOPT: 80036.4 AMEND: 80034,  
 80036, 80036.1, 80036.2, 80036.3,  
 REPEAL: 80036.5

04/13/11 AMEND: 850, 851, 852, 853, 853.5, 854,  
 855, 857, 858, 859, 861, 862, 870 (now  
 862.5), 864, 864.5, 866, 868

04/12/11 ADOPT: 76020, 76140, 76212, 76240  
 AMEND: 76000, 76120, 76130, 76200,  
 76210, 76215 REPEAL: 76010, 76240

03/28/11 ADOPT: 75010, 75100, 75500 AMEND:  
 74120, 74130, 74160, 74170

03/24/11 ADOPT: 30001.5

03/21/11 ADOPT: 10120 AMEND: 10070, 10071,  
 10075

03/15/11 ADOPT: 4800, 4801, 4802, 4803, 4804,  
 4805, 4806, 4807

03/01/11 ADOPT: 1216.1

02/22/11	ADOPT: 42398	03/03/11	ADOPT: 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596
02/22/11	AMEND: 42375	02/10/11	ADOPT: 2593, 2593.1, 2593.2, 2593.3, 2593.4, 2593.5, 2593.6, 2593.7
<b>Title 7</b>		02/02/11	AMEND: 2699.6500, 2699.6700, 2699.6707, 2699.6721
03/17/11	ADOPT: 211.5	<b>Title 11</b>	
03/14/11	AMEND: 217	06/06/11	AMEND: 51.7
02/02/11	AMEND: 215	06/01/11	AMEND: Article 20, section 51.2
<b>Title 8</b>		05/31/11	AMEND: Article 20, section 51.25
06/27/11	REPEAL: 10119, 10120	05/25/11	ADOPT: Article 20, section 51.27
06/20/11	AMEND: 10250.1	05/24/11	AMEND: Article 20, section 51.15
06/02/11	AMEND: 5154(j)(1)	05/24/11	AMEND: Article 20, section 51.24
05/31/11	AMEND: 5155	04/19/11	AMEND: 1005, 1007, 1008
05/20/11	AMEND: 341.13, 341.14, 341.16, 341.17	04/19/11	AMEND: 1018
05/03/11	AMEND: 3657	04/13/11	AMEND: 1054
05/02/11	AMEND: 16423 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455, 16460, 16461, 16462, 16463, 16464	04/11/11	ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
04/26/11	AMEND: 3209	03/30/11	AMEND: 9070, 9072, 9073, 9077
04/18/11	ADOPT: 9792.5.0, 9792.5.1, 9792.5.2, 9792.5.3 AMEND: 9792.5	03/16/11	AMEND: 2037
04/18/11	AMEND: 344.30	<b>Title 13</b>	
04/13/11	AMEND: 3380	04/01/11	AMEND: 553.70
03/28/11	AMEND: 3668(a)	03/07/11	AMEND: 2477
03/17/11	AMEND: 7102, 7104, 7160, 7178	02/24/11	ADOPT: 551.21
03/17/11	AMEND: 3207	02/24/11	ADOPT: 551.19, 551.20, 551.23, 551.24, 551.25 AMEND: 550, 551.2, 551.11, 551.12
03/07/11	AMEND: 3328	02/22/11	AMEND: 551.14, 555.1, 584
<b>Title 10</b>		02/16/11	AMEND: 594, 595, 597 REPEAL: 593
05/31/11	REPEAL: 2274.74, 2274.77	02/15/11	AMEND: 567, 583, 591, 593.1, 593.3
05/23/11	AMEND: 2698.99	02/15/11	AMEND: 272.00, 272.02
05/16/11	AMEND: 2498.6	<b>Title 13, 17</b>	
05/04/11	ADOPT: 260.004.1	06/20/11	AMEND: Title 13: 2299.5 and Title 17: 93118.5
04/25/11	ADOPT: 1409.1, 1414, 1422.4, 1422.4.1, 1422.4.5, 1422.5, 1422.6, 1422.6.1, 1422.6.2, 1422.6.3, 1422.7, 1422.7.1, 1422.9, 1422.10, 1422.11, 1422.12, 1424, 1437, 1950.122, 1950.122.2.1, 1950.122.4, 1950.122.4.1, 1950.122.5, 1950.122.5.1, 1950.122.5.2, 1950.122.5.3, 1950.122.5.4, 1950.122.6, 1950.122.7, 1950.122.8, 1950.122.9, 1950.122.10, 1950.122.11, 1950.122.12, 1950.122.15, 1950.205.1, 1950.209, 1950.307 AMEND: 1404, 1409, 1411, 1430.5, 1431, 1433, 1436, 1454, 1550, 1552, 1557, 1950.003, 1950.122.2, 1950.123, 1950.204.3, 1950.204.4, 1950.301, 1950.314.8, 1950.316, 1950.317	<b>Title 14</b>	
04/18/11	AMEND: 2188.65, 2695.180	06/21/11	AMEND: 7.50
04/06/11	AMEND: 2498.4.9	06/16/11	AMEND: 7.00, 7.50
04/06/11	AMEND: 2498.4.9	06/13/11	AMEND: 632
03/22/11	AMEND: 2498.4.9	06/09/11	AMEND: 27.20, 27.25, 27.30, 27.32 (renumbered to 27.35), 27.35 (renumbered to 27.40), 27.45, 27.50, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, 52.10, 150.16 REPEAL: 27.40, 28.51, 28.52, 28.53, 28.57
03/16/11	ADOPT: 2632.13.1 AMEND: 2632.13	05/19/11	AMEND: 632
03/16/11	AMEND: 5500, 5501, 5505, 5506, 5507	05/12/11	ADOPT: 28301
		05/11/11	AMEND: 27.80
		05/03/11	AMEND: 790, 815.05, 816.01, 816.02, 816.03, 816.05, 817.02, 817.03, 818.02,

	818.03, 825.05, 825.07, 826.01, 826.02, 826.03, 826.05, 827.01, 827.02				1814, 1815, 1816, 1816.1, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1819.1, 1832, 1833.1, 1833.2, 1850.6, 1850.7, 1870, 1870.1, 1874, 1877, 1880, 1881, 1886, 1886.10, 1886.20, 1886.30, 1886.40, 1886.50, 1886.60, 1886.70, 1886.80, 1887, 1887.1, 1887.2, 1887.3, 1887.4, 1887.5, 1887.6, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11, 1887.12, 1887.13, 1887.14, 1888
05/02/11	AMEND: 925.7, 925.10, 926.9, 926.10, 927.5, 928.5, 928.6, 945.4, 965.4				
05/02/11	AMEND: 898.2				
04/29/11	ADOPT: 1570, 1571, 1572, 1572.1, 1572.2, 1573, 1573.1, 1573.2, 1573.3, 1573.4, 1573.5, 1573.6, 1574, 1575, 1575.1, 1575.2, 1575.3, 1576				
04/25/11	AMEND: 1670				
04/06/11	ADOPT: 749.6	05/18/11	AMEND: 124		
04/01/11	AMEND: 27.80	05/18/11	AMEND: 1536		
03/09/11	ADOPT: 703 AMEND: 671, 671.1, 671.7	05/09/11	ADOPT: 360, 363.1, 370 AMEND: 355 now 371, 356 now 361, 356.5 to 362, 357 now 363, 358 now 364, 360 now 366, 355.1 now 372, 359 now 365 REPEAL: 355.2		
02/24/11	AMEND: 11600				
02/17/11	REPEAL: 19020, 19021, 19022, 19023, 19024, 19025				
02/08/11	AMEND: 817.02				
02/07/11	ADOPT: 1052.5 AMEND: 895, 916.9, 936.9, 956.9, 1052, 1052.1, 1052.2	04/28/11	ADOPT: 1131, 1132		
<b>Title 15</b>		04/28/11	AMEND: 4150, 4151, 4152.1, 4153, 4154, 4155		
06/27/11	AMEND: 3140	04/26/11	AMEND: 1306		
06/20/11	ADOPT: 8007, 8008 AMEND: 8000	04/25/11	AMEND: 48.3		
06/15/11	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000	04/25/11	AMEND: 600.1, 601.5, 602, 602.1, 603, 605, 607.4, 608.3, 627, 634, 635, 645		
06/15/11	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000	04/15/11	ADOPT: 2007, 2010.05 AMEND: 2085.1		
06/14/11	AMEND: 3000, 3045.3, 3123, 3134, 3250.4, 3269.1, 3274, 3383, 3482	04/14/11	AMEND: 70		
06/02/11	AMEND: 3378	04/14/11	ADOPT: 2086, 2086.1, 2086.2, 2086.3, 2086.4, 2086.5, 2086.6, 2086.7, 2086.8, 2086.9		
05/26/11	ADOPT: 1747.1, 1749.1, 1750.1 AMEND: 1706, 1747, 1748, 1749, 1750, 1752, 1756, 1757, 1767	04/12/11	AMEND: 1328		
05/26/11	AMEND: 3025, 3291, 3296, 3300, 3301, 3383, 3397 REPEAL: 3302	04/11/11	AMEND: 404, 424, 425, 438 REPEAL: 460		
05/13/11	REPEAL: 1	03/17/11	AMEND: 2260, 2266, 2282, 2282.1		
05/11/11	AMEND: 3335	03/14/11	ADOPT: 4125 AMEND: 4123		
04/29/11	ADOPT: 3359.1, 3359.2, 3359.3, 3359.4, 3359.5, 3359.6, 3359.7 AMEND: 3000	03/09/11	ADOPT: 1007, 1008 AMEND: 1017.2		
04/15/11	ADOPT: 3769, 3769.1, 3769.2, 3769.3, 3769.4, 3769.5, 3769.6	03/03/11	AMEND: 375		
03/28/11	AMEND: 3269	03/03/11	AMEND: 117		
03/09/11	ADOPT: 3800, 3800.1, 3800.2, 3800.3	03/01/11	AMEND: 1399.157, 1399.160.3, 1399.160.6		
03/03/11	ADOPT: 3520, 3521, 3521.1, 3521.2, 3521.3, 3521.4, 3521.5, 3522, 3523, 3525, 3526, 3527	02/23/11	AMEND: 400, 401, 404, 463.5, 3000, 3003, 3021, 3065		
02/18/11	AMEND: 4710, 4711, 4712, 4713, 4714	02/08/11	AMEND: 1518, 1523, 1531, 1532, 1533, 1561		
<b>Title 16</b>		02/02/11	ADOPT: 1381.7, 1381.8, 1381.9		
06/14/11	AMEND: 1398.44, 1399, 1399.85	<b>Title 17</b>			
06/06/11	AMEND: 4144 now 4147	06/17/11	ADOPT: 95356		
05/24/11	ADOPT: 1810.1, 1810.2, 1816.8, 1820, 1820.5, 1821, 1822 AMEND: 1800, 1802, 1803, 1804, 1805, 1805.1, 1806, 1807, 1807.2, 1810, 1811, 1812, 1813,	06/16/11	ADOPT: 95600, 95601, 95602, 95603, 95604, 95605, 95606, 95607, 95608, 95609, 95610, 95611, 95612		
		06/08/11	ADOPT: 30108.1, 30226 AMEND: 30108, 30115, 30125, 30145, 30190, 30191, 30192, 30192.1, 30192.2,		

	30192.3, 30192.4, 30192.5, 30192.6, 30225, 30257 REPEAL: 30236	04/21/11	AMEND: 60400, 60401, 60403, 60445, 60455, 64416, 64426, 64432, 64449, 64449.2, 64575, Appendix 64465-E
05/19/11	AMEND: 93115.3, 93115.4, 93115.6, 93115.7, 93115.8, 93115.9, 93115.10, 93115.13	04/12/11	AMEND: 66264.90, 66264.94, 66264.97, 66264.98, 66264.99, 66264.100, 66265.90, 66265.91, 66265.97, 66265.98, 66265.99
04/21/11	AMEND: 7583	03/22/11	AMEND: 66250, 66250.1, 66250.2
03/07/11	ADOPT: 100801	02/15/11	ADOPT: 4451 AMEND: 4400, 4401.5, 4405, 4417, 4427, 4429, 4447
02/17/11	AMEND: 52170, 52172, 52173		
02/02/11	ADOPT: 95350, 95351, 95352, 95353, 95354, 95355, 95356, 95357, 95358, 95359	<b>Title 23</b>	
<b>Title 18</b>		06/21/11	ADOPT: 3959.4
06/22/11	AMEND: 1507	06/08/11	ADOPT: 3929.6
<b>Title 19</b>		06/08/11	AMEND: 3006
06/21/11	AMEND: 200, 201, 202, 204, 208, 209, 212	05/31/11	ADOPT: 3939.39
05/12/11	ADOPT: 2991, 2992, 2993, 2993.1, 2994, 2994.1, 2995, 2995.1, 2996, 2996.1, 2997, 2998, 2999	05/12/11	ADOPT: 3909.1
02/18/11	ADOPT: 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 2999.1, 2999.2, 2999.3, 2999.4, 2999.5 AMEND: 2900	05/06/11	ADOPT: 3939.38
<b>Title 20</b>		04/04/11	ADOPT: 3990
05/09/11	ADOPT: 8.2 AMEND: 1.4, 1.5, 1.6, 1.8, 1.9, 1.10, 1.13, 1.15, 2.4, 2.5, 2.6, 3.1, 3.2, 4.1, 4.2, 4.3, 7.2, 8.1, 8.3, 8.4, 8.5, 8.6, 10.2, 13.7, 14.1, 14.2, 14.3, 14.5, 14.6, 16.1, 16.2, 16.6, Table of Filing Fees REPEAL: 8.5	03/17/11	ADOPT: 3949.7
03/24/11	ADOPT: 2700, 2701, 2702, 2703, 2704	<b>Title 25</b>	
<b>Title 22</b>		03/07/11	AMEND: 5002, 5010, 5040
06/29/11	AMEND: 51008.5	02/18/11	ADOPT: 1013, 1052, 1119, 1757, 1759, 2013, 2052, 2119, 2757, 2759 AMEND: 1002, 1008, 1018, 1104, 1118, 1180, 1211, 1333, 1334, 1334.2, 1336.1, 1346, 1377, 1426, 1429, 1432, 1446, 1450, 1458, 1464, 1468, 1474, 1498, 1500, 1502, 1504, 1506, 1612, 1618, 1750, 1752, 1754, 1756, 1758, 2002, 2008, 2018, 2104, 2118, 2211, 2230, 2334, 2346, 2426, 2429, 2432, 2468, 2474, 2498, 2500, 2502, 2504, 2506, 2612, 2750, 2752, 2754, 2756, 2758 REPEAL: 1613, 1615, 1616, 2613, 2615, 2616
06/23/11	ADOPT: 70058, 71054, 72094, 73092, 74650, 76138, 76831.1, 78094.1, 79063, 79570 AMEND: 70707, 70715, 71507, 71515, 72521, 72527, 73519, 73523, 74717, 74743, 76521, 76525, 76555, 76916, 76918, 78437, 79313, 79799	02/10/11	ADOPT: 4313 AMEND: 4300, 4302, 4304, 4306, 4308, 4310, 4312, 4314, 4316, 4318, 4320, 4322, 4324
05/17/11	ADOPT: 52100, 52101, 52102, 52103, 52104, 52500, 52501, 52506, 52508, 52509, 52510, 52511, 52512, 52513, 52514, 52515, 52600 AMEND: 52000, 52502, 52503, 52504, 52505, 52507, 52516	<b>Title 27</b>	
05/12/11	AMEND: 1256-9, 1256-10	06/29/11	AMEND: 25805
04/25/11	AMEND: 2708(c)-1	03/30/11	AMEND: 25805
		03/17/11	AMEND: 25801, 25803
		02/16/11	AMEND: 27001
		<b>Title MPP</b>	
		06/02/11	AMEND: 31-002, 31-075, 31-206, 31-320, 31-505, 31-510
		02/15/11	AMEND: 16-015, 16-120, 16-601 REPEAL: 16-315